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6 Attorneys for Plaintiffs

7 **UNITED STATES DISTRICT COURT**
8
EASTERN DISTRICT OF CALIFORNIA
9

10 JOHN ADENA, Deceased, by and through his Co-)
Successors in Interest, CIRCE ADENA and)
11 RICHARD ADENA; CIRCE ADENA, Individually,)
and RICHARD ADENA, Individually,)

12) Case No. 2:21-cv-00770-MCE-DMC

Plaintiffs,

13 vs.)

14 SHASTA COUNTY, a public entity; SHASTA)
COUNTY SHERIFF-CORONER TOM BOSENKO,)
15 in his individual capacity; CAPTAIN DAVE KENT;)
16 SHASTA COUNTY JAIL DEPUTIES KIRK)
SCHRITTER, DEVIN HURTE, DEPUTY DIAZ,)
17 EMMANUEL ALCAZAR, ZACHARY)
JURKIEWICZ, JOSEPH GRADY, NATHANIAL)
18 NEVES, HECTOR CORTEZ; WELLPATH INC., a)
Delaware corporation; WELLPATH)
19 MANAGEMENT, INC., a Delaware Corporation;)
WELLPATH LLC, a Delaware Limited Liability)
20 Company; TRACY LEWIS, L.M.F.T.; PAM)
21 JOHANSEN, L.C.S.W.; DANIEL DELLWO, P.A.;)
and DOES 1-20; individually, jointly and severally,)
22)
23 Defendants.)

**STIPULATION AND ORDER TO
ALLOW PLAINTIFFS TO FILE
FIRST AMENDED COMPLAINT
AND DISMISS ALL CLAIMS
AGAINST DEFENDANT
WELLPATH, INC., WITHOUT
PREJUDICE**

1 All parties to this action, by and through their respective counsel, hereby stipulate pursuant
2 to Federal Rule of Civil Procedure 15(a)(2), that Plaintiffs may file a First Amended Complaint,
3 adding California Forensic Medical Group, Inc. as a Defendant. The First Amended Complaint also
4 removes Defendant Wellpath, Inc., who the parties stipulate to dismiss without prejudice, each side
5 to bear their own costs and fees necessitated by the claims against Wellpath, Inc.
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7 The proposed First Amended Complaint is attached hereto as **Exhibit A**.

8 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

9
10 Dated: August 8, 2023

HADDAD & SHERWIN LLP

11 /s/ *Teresa Allen*
12

13 TERESA ALLEN
Attorneys for Plaintiffs

14 Dated: August 8, 2023

MANNING & KASS
ELLROD, RAMIREZ, TRESTER LLP

15 /s/ *Lynn Carpenter*
16

17 LYNN CARPENTER
18 MILDRED K. O'LINN
19 KAYLEIGH A. ANDERSEN
20 Attorneys for Defendants
21 SHASTA COUNTY; SHERIFF-CORONER TOM
22 BOSENKO; SHASTA COUNTY JAIL CAPTAIN
23 DAVE KENT; DEPUTIES KIRK SCHRITTER,
24 DEVIN HURTE, OMAR DIAZ, EMMANUEL
25 ALCAZAR, ZACHARY JURKIEWICZ, JOSEPH
26 GRADY, NATHANIAL NEVES, and HECTOR
27 CORTEZ

1 Dated: August 8, 2023

THE LAW OFFICES OF JEROME VARANINI

2 */s/ Jerome M. Varanini*
3

4 JEROME M. VARANINI
5 Attorneys for Defendants
6 WELLPATH INC.; WELLPATH MANAGEMENT,
7 INC.; WELLPATH LLC; TRACY LEWIS, L.M.F.T.;
8 PAM JOHANSEN, L.C.S.W.; and DANIEL
9 DELLWO, P.A

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ORDER

Pursuant to the stipulation of the parties, it is so ordered. Defendant Wellpath, Inc., is hereby DISMISSED without prejudice, each side to bear their own costs and fees necessitated by the claim. Not later than ten (10) days following the date this Order is electronically filed, Plaintiffs are directed to file their First Amended Complaint.

Dated: August 11, 2023


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE